

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
GAINESVILLE DIVISION**

MATTHEW COLE IVESTER,	:	CIVIL ACTION NO.
Plaintiff,	:	2:12-CV-00277-RWS-JCF
	:	
v.	:	
	:	
LT. RICK WISE,	:	PRISONER CIVIL ACTION
Stephens Cnty. Det. Ctr., et al.,	:	42 U.S.C. § 1983
Defendants.	:	

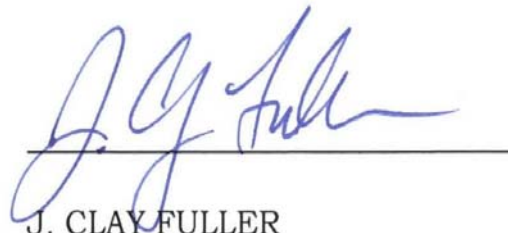
**MAGISTRATE JUDGE’S FINAL REPORT AND RECOMMENDATION**

On December 14, 2012, the Court ordered Plaintiff “to submit the full initial filing fee of \$350.00” for this civil action, which was docketed in this Court on November 21, 2012 (Doc. 1), “or to execute and return a financial affidavit that includes an authorization allowing his custodian to withdraw funds from his inmate account, a completed certificate from an authorized institutional officer regarding the current balance in his inmate account, and an inmate account statement for the preceding six months,” which were not included with his initial financial affidavit (Doc. 2). (Doc. 5 at 1-2 (formatting altered)). The Court advised Plaintiff “that failure to pay the fee or submit the required affidavit may result in dismissal of this action.” (*Id.* at 2). To date, Plaintiff has failed to pay the filing fee that is now due or to respond in any way to the Court’s December 14, 2012 order.

Accordingly, **IT IS RECOMMENDED** that this action be **DISMISSED without prejudice** due to Plaintiff's failure to obey a lawful order of this Court. *See* LR 41.3.A.(2), NDGa.

The Clerk is **DIRECTED** to withdraw the reference to the Magistrate Judge.

**SO RECOMMENDED and DIRECTED** this 21st day of February, 2013.



J. CLAY FULLER  
United States Magistrate Judge